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U.S. PTO

PTO/SB/05 (12/97)

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Approved for use through 9/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	SJO920030069US1	Total Pages	41
First Named Inventor or Application Identifier			
Ronald E. Bretschneider			
Express Mail Label No.	ER509035164US		

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Commissioner for Patents
Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

- ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
- ☒ Specification (Total Pages) 27
(Preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Application
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☒ Drawing(s) (35 USC 113) (Total Pages) 10
- Oath or Declaration (Total Pages) 4
 - ☒ Newly executed (original or copy)
 - ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Incorporation by Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

- ☐ Microfiche Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - ☐ Computer Readable Copy
 - ☐ Paper Copy (identical to computer copy)
 - ☐ Statement verifying identify of above copies

ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
- ☐ English Translation Document (if applicable)
- ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- ☐ Small Entity ☐ Statement filed in prior application, Status still proper and desired
- ☐ Certified Copy of Priority Document(s)
if foreign priority is claimed
- ☒ Other: Express Mail Certificate

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 36491
☐ Or Correspondence address below

NAME					
ADDRESS					
CITY		STATE		ZIP	
COUNTRY		TELEPHONE		FAX	

Assignee Name: INTERNATIONAL BUSINESS MACHINES CORPORATION
 Assignee Residence: Armonk, New York

22581 U.S. PTO
10/824147
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PTO/SB/05 (12/97)

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FEE TRANSMITTAL

Note: Effective October 1, 2001.
Patent fees are subject to annual revision.

Complete If Known

Application Number	Not Available
Filing Date	April 14, 2004
First Named Inventor	Ronald E. Bretschneider
Group Art Unit	
Examiner Name	

TOTAL AMOUNT OF PAYMENT**\$ 1122****Attorney Docket Number**

SJO920030069US1

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: 09-0466Deposit Account Name: IBM CORPORATION

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee In 37 CFR at the Mailing of the Notice of Allowance

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

FEE CALCULATION**1. FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)**\$ 770****2. CLAIMS**

Total Claims	Extra	Fee from below	Fee Paid
30	-20 = 10	x 18 = 180	
Ind. Claims 5	-3 = 2	x 86 = 172	
Multiple Dep. Claims 0	x 290 = 0		

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim


SUBTOTAL (2)**\$ 352****FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2520	1812	2520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1480	2254	740	Extension for reply within fourth month	
1255	2010	2255	1005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1510	1451	1510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - intentional	
1453	1330	2453	665	Petition to revive - unintentional	
1501	1330	2501	665	Utility issue fee	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	1809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) _____

*Reduced by Basic Filing Fee

SUBTOTAL (3)**\$ 0****SUBMITTED BY****Complete (if applicable)**

Typed or Printed Name	Brian C. Kunzler	Reg. Number	38,527
Signature		Date	Apr 14, 2004
		Deposit Account User ID	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Mail Stop Assignments, P.O. Box 1450, Alexandria, VA 22313-1450.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: ER509035164US

Date of Deposit: April 14, 2004

I hereby certify that this patent application in the name of Ronald E. Bretschneider, Marc K. Duquette, Stuart W. Edwards, Ruth L. Ferziger, Peter V. Gibson, and Lyle L. Merithew Jr. for APPARATUS, SYSTEM, AND METHOD FOR TRANSACTIONAL PEER RECOVERY IN A DATA SHARING CLUSTERING COMPUTER SYSTEM, together with the drawings, a Declaration, Power of Attorney, and Petition, Information Disclosure Statement, PTO Form 1449, and Copies of Cited References are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,



Brian C. Kunzler
Reg. No. 38,527
Attorney for Applicant

Date: April 14, 2004

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